

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CYNTHIA E. MINER, Admx., etc.,)	CASE NO. 1:05CV0703
)	
Plaintiff,)	JUDGE CARR
)	
v.)	MAGISTRATE JUDGE HEMANN
)	
HIRSCHBACH MOTOR LINES, INC.,)	
et al.,)	
)	
Defendants.)	

AYSHA ARSHAD, M.D., etc.,)	CASE NO. 3:05CV7037
)	
Plaintiff,)	JUDGE CARR
)	
v.)	MAGISTRATE JUDGE HEMANN
)	
ROGER YOUNG, et al.,)	
)	
Defendants.)	

Upon considering the memoranda of the parties in the above matter, the court conditionally concludes the following:

1. the applicability and interpretation of MCS-90 certificates is a matter of federal law;
2. the MCS-90 certificates on the tractor and on the trailer each provides up to \$1,000,000 in coverage for the plaintiffs for a total of up to \$2,000,000; and
3. under Ohio law the injuries to both plaintiffs were the result of a single

accident.

These conclusions are tentative, pending more thorough argument and research on the matter and are not to be considered the binding law of this case.

Date: February 21, 2006

/s/James G. Carr
James G. Carr
United States District Court Judge

/s/Patricia A. Hemann
Patricia A. Hemann
United States Magistrate Judge